

BTEC Assignment Brief

Qualification	Pearson BTEC Level 3 International Subsidiary Diploma in Business Pearson BTEC Level 3 International Foundation Diploma in Business Pearson BTEC Level 3 International Diploma in Business Pearson BTEC Level 3 International Extended Diploma in Business
Unit number and title	Unit 40: The English Legal System
Learning aim	C: Explore sources of law relevant for providing legal advice
Assignment title	The legislative process and the impact of the European Union on English law
Assessor	
Issue date	
Hand in deadline	

Vocational Scenario or Context	Following an application for a summer placement at your local magistrate's court, you have made it through to a shortlist of three applicants. For the final selection exercise, the clerk of the court has asked each applicant to produce a guide for Law students which explores sources of law relevant for providing legal advice. The successful applicant will be determined by who produces the most informative report. To demonstrate your current level of knowledge to the clerk, you are required to evaluate, using authorities to illustrate, how far the sources of law provide certainty for lawyers giving legal advice.
---------------------------------------	---

Task	You are required to produce a report which explores sources of law relevant for providing legal advice. In the first part of your report you need to demonstrate how the legislative process would apply in different situations. To do this you will need to: ● Select one primary law and one secondary law ● Identify an aspect of each law that you feel strongly needs changing ● propose what changes you would like to make to each law. ● Explain the process and timeframe through which your proposal might then become law. The next part of your report should focus on explaining the rule of precedent through application in a specific scenario. To do this you will need to: ● Select and describe both a decided criminal case and a decided civil case which have both been heard on appeal
-------------	--



	at Supreme Court. ● For each case, explain the basis of the appeal, the reasons given for the outcome and the impact of the decision, and the steps the case went through to reach this court. You should then explain the rules of statutory interpretation through application in specific scenarios. To do this you should: ● Select and describe a decided case that illustrates the application of each rule of statutory interpretation ● explain the impact the rule of statutory interpretation has had on the case outcome. Next, you will need to analyse the impact that European law has already had on domestic law, using as examples two different decided law situations. Your analysis should include: ● discussion and examples of whether this has restricted our national sovereignty and required us to compromise and adapt our legislation and precedent, ● discussion of the advantages and disadvantages of domestic law having to comply with European law In the final part of your report you must evaluate how far the sources of law provide certainty for lawyers giving legal advice. Your evaluation should lead to a conclusive judgement of whether there is or is not enough certainty and flexibility for lawyers currently, given the processes and the loss of sovereignty through EU membership. Your judgement should be supported by the use of decided law examples.
Checklist of evidence required	An individual report which appropriately referenced by citing the range of sources and authorities used
Criteria covered by this task:	
Unit/Criteria reference	To achieve the criteria you must show that you are able to:
23/C.D3	Evaluate how far the sources of law provide certainty for lawyers giving legal advice.
23/C.M3	Analyse the impact European law has had on domestic law in given situations.
23/C.P5	Demonstrate how the legislative process would apply in given scenarios.
23/C.P6	Explain the rules of precedent and statutory interpretation through accurate application in given scenarios.
Sources of information to support you with this Assignment	Websites www.gov.uk/guidance/legislative-process-taking-a-bill-through-parliament This site has a great deal of guidance on the process of taking a bill through parliament. http://www.iclr.co.uk This is the site of The Incorporated Council of Law Reporting (ICLR), publishers of The Law Reports and the Weekly Law Reports www.legislation.gov.uk This website is managed by The National Archives on behalf of HM Government and publishes all UK legislation.



	www.tutor2u.net/law This site provides resources and revision materials. There are also links to other sources of information. Books. Catherine Elliott and Frances Quinn, <i>The English Legal System</i>, Pearson Education, 17th Edition, 2016. ISBN: 9781405859417 Jaqueline Martin, <i>The English Legal System</i>, Hodder, 7th Edition, 2013. ISBN: 9781444183061
Other assessment materials attached to this Assignment Brief	None